



CITY OF NEWARK CITY COUNCIL

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City Administration Building
7:30 p.m.
City Council Chambers

AGENDA

Thursday, January 25, 2018

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the City Council meeting of January 11, 2018.
(MOTION)**

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Introduction of employees.

Background/Discussion – Jessica Gurule was recently hired as an Administrative Support Specialist II at the Clark W. Redeker Newark Senior Center. Ms. Gurule will be at the meeting to be introduced to the City Council.

- C.2 Proclaiming February as Teen Dating Violence Awareness month.
(PROCLAMATION)**

Background/Discussion – February is Teen Dating Violence Awareness Month. A proclamation has been prepared and a representative from Safe Alternatives to Violent Environments (SAVE) will accept it at the meeting.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORTS

(It is recommended that Items F.1 through F.3 be acted on simultaneously unless separate discussion and/or action is requested by a Council Member or a member of the audience.)

CONSENT

- F.1 Second reading and adoption of an ordinance to repeal and replace Title 17 (“Zoning”) of the Newark Municipal Code and rezone properties by adopting the Official Zoning Map – from Deputy Community Development Director Interiano. (ORDINANCE)**

Background/Discussion – On January 11, 2018, the City Council introduced an ordinance repealing and replacing the City’s Zoning Code and a new Official Zoning Map. The ordinance was introduced with the following revisions: Le Lan Salon at 36602 Newark Boulevard to retain its current zoning designation; social services would be allowed in commercial mixed use zoning districts, and additions to the noise section regarding violation, enforcement and continuing violations. The attached ordinance includes the revisions.

Attachments

Action – Staff recommends that the Council, by motion, adopt an ordinance repealing and replacing Title 17 (Zoning) of the Newark Municipal Code in order to update the Newark Zoning Code, Rezone Districts and Properties and add a new Zoning Map.

- F.2 Authorization for the submittal of applications for funding through the Land and Water Conservation Fund Grant-In-Aid Program for the Newark Skate Park and All-Weather Turf Fields at Sportsfield Park projects – from Public Works Director Fajeau. (RESOLUTIONS-2)**

Background/Discussion- The adopted Citywide Parks Master Plan identified several high priority projects, including the Newark Skate Park and the All-Weather Turf Fields at Sportsfield Park. In an effort to explore all potential opportunities for outside grant funding for these projects, staff is recommending authorization for the submittal of applications through the State of California for the Land and Water Conservation Fund Grant-In-Aid Program.

The Land and Water Conservation Fund Grant-In-Aid Program is a competitive statewide program for federal funding administered through the Department of Parks and Recreation Office of Grants and Local Services. The program is focused on the acquisition of lands and the developer of facilities for public outdoor recreation purposes. The Newark Skate Park and All-Weather Turf Fields at Sportsfield Park projects are eligible under this program for grants up to 50% of the total project costs. As part of the program application guidelines it is required that authorization be provided for submittal of the grant applications and that the local agency certify that it can provide matching funding and finance the full project cost (of which up to half may be reimbursed).

Attachment

Action - It is recommended that the City Council, by resolutions, authorize the submittal of applications through the Land and Water Conservation Fund Grant-In-Aid Program for: (1) the Newark Skate Park project; and (2) the All-Weather Turf Fields at Sportsfield Park project.

- F.3 Approval to reclassify three Associate Civil Engineer positions to two Senior Civil Engineer positions and one Assistant/Junior Engineer position and to adjust the salary range of the Chief Building Official/City Architect position by amending the Employee Classification Plan, the Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group and the 2016-2018 Biennial Budget - from Human Resources Director Abe and Public Works Director Fajeau. (RESOLUTIONS-3)**

Background/Discussion - The Public Works Department is recommending the reclassification of the three (3) Associate Civil Engineer positions to two (2) Senior Civil Engineer positions and one (1) Assistant/Junior Engineer position. This proposed reclassification reflects the technical expertise, breadth of workload demands, and supervisory needs required to provide the scope and magnitude of services within the Engineering Division.

The Engineering Division, among other responsibilities, supports private development activity, implementation of the Capital Improvement Plan, and compliance with a variety of regulatory requirements. The volume of private development in the City remains at unprecedented levels and is expected to continue for the foreseeable future. There will continue to be significant demands for project delivery through the Capital Improvement Plan due to pending increases in outside funding for transportation maintenance and improvement projects as well as implementation of guidance documents such as the Citywide Parks Master Plan and Pedestrian and Bicycle Master Plan. Regulatory compliance, including implementation of the Municipal Regional NPDES Stormwater Permit and the associated Green Infrastructure Plan, will also continue to place increased demands on the Division.

As currently constituted, the Division is not optimally equipped to meet these current and growing demands. One of the Associate Civil Engineer positions is vacant and has been difficult to fill with a qualified candidate due to market conditions. Many of the ongoing demands on the Division can be satisfied with the addition of an Assistant/Junior Engineer who could assist higher-level professional staff members. This is a position that would be easier to fill with a qualified candidate. Additionally, both of the current Associate Civil Engineers continuously perform at a level that exceeds expectations for the position. A reclassification of these two positions would acknowledge increased supervisory responsibilities as well as the breadth, quality, and quantity of work being performed. Moreover, the recommended reclassification would be consistent with the City's desire to retain in-house talent and support upward mobility within the organization when warranted.

The City of Newark's Chief Building Official/City Architect position is very unique to the industry and would typically require multiple positions for the scope of services provided. Given the extent of supervisory and project management responsibilities associated with the position, which now includes coordination of the New Civic Center project, the Public Works Department is recommending a salary range change from 18 to 19 for the position within the Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group. The range adjustment would reflect an appropriate level of compensation for this position.

The proposed reclassification of the Associate Civil Engineer positions to two Senior Civil Engineer positions and one Assistant/Junior Engineer position would result in an annual budget decrease of approximately \$9,120 in the event the vacant position is filled with a Junior Engineer, or an annual budget increase in the amount of \$5,303 if the vacant position is filled with an Assistant Engineer. The range adjustment of the Chief Building Official/City Architect position from 18 to 19 would result in an annual budget increase of \$12,043.

Attachments

Action - It is recommended that the City Council approve by resolutions: (1) amending Resolution No. 2505, the Employee Classification Plan, to modify the class specification entitled Senior Civil Engineer; (2) amending Resolution No. 10678, the Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group to change the salary range of the Chief Building Official/City Architect position; and (3) amending the 2016-2018 Biennial Budget to add two Senior Civil Engineer positions, add one Assistant/Junior Engineer position, and delete three Associate Civil Engineer positions.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

I.1 Resolution establishing the City of Newark Transactions and Use (Sales) Tax Oversight Committee and authorizing the City Clerk to advertise for Committee applications – from Mayor Nagy. (RESOLUTION)(MOTION)

Background/Discussion – At the November 8, 2016 election, voters approved a one-half percent transactions and use (sales) tax in the City of Newark beginning April 1, 2017. The Measure GG ordinance requires the establishment of a Citizens' Oversight Committee

(Committee) to review the expenditures of the revenue from this tax. The ordinance provides for a five member committee to be appointed by the Mayor and approved by the City Council. The terms of the committee member and their duties are to be established by resolution of the City Council.

The proposed resolution establishing the Committee and draft bylaws are attached. It is recommended that the Committee review semi-annual revenue and expenditure reports, prepared by staff, and provide the City Council with an annual report on whether the revenues were expended in an appropriate manner. The Committee will consist of 5 members, serving staggered terms, who receive no personal financial benefit related to the expenditures.

After the resolution and bylaws are adopted, it is recommended that the City Council authorize the City Clerk to advertise for Committee applications. At the conclusion of the application period, the Mayor's appointments to the Committee will be scheduled for consideration at a future City Council meeting.

Attachments

Action - It is recommended that the City Council, by resolution, establish the City of Newark Transactions and Use (Sales) Tax Oversight Committee and by motion, authorize the City Clerk to advertise for Committee applications.

I.2 Approving 2 percent merit increase for City Manager John Becker – from Mayor Nagy. (RESOLUTION)

Background/Discussion – John Becker has served as City Manager for the City of Newark since January 1, 2006. The City Council as the hiring authority for the City Manager needs to determine appropriate compensation.

The City Manager is an exempt employee subject to the City's Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group. Employees in this Compensation and Benefit Plan, who are not at the top of the salary range for their position, are eligible to receive a merit increase of up to 2 percent upon "meritorious service". (Section IIID of Attachment "A" to the Plan.) The City Council conducted a performance evaluation of the City Manager on January 11, 2018, during a duly noticed closed session. Pursuant to Government Code Section 54957.6, the City Council gave directions to its labor negotiator, Mayor Nagy, regarding a compensation adjustment. The Mayor directed staff to place this matter for open discussion at the January 25, 2018 meeting.

A 2 percent salary increase is recommended. This would increase his salary by \$401.27 per month. The City Manager's new monthly base salary will be \$20,464.95.

The compensation for the City Manager is included in the current budget and the proposed merit increase will go into effect on February 1, 2018.

Attachment

Action - It is recommended that the City Council, by resolution, approve a 2 percent merit increase for John Becker as City Manager.

J. CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

K. ORAL COMMUNICATIONS

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of January 25, 2018. (MOTION)

M. CLOSED SESSION

N. ADJOURNMENT

Pursuant to Government Code 54957.5: Supplemental materials distributed less than 72 hours before this meeting, to a majority of the City Council, will be made available for public inspection at this meeting and at the City Clerk's Office located at 37101 Newark Boulevard, 5th Floor, during normal business hours. Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection.

For those persons requiring hearing assistance, please make your request to the City Clerk two days prior to the meeting.